

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENTEX CORPORATION, a Delaware
Corporation,

Plaintiff,

v.

GALVION LTD. and GALVION INC.,

Defendants.

Case No. 19-921-MN

JOINT MOTION AND [PROPOSED] ORDER TO AMEND SCHEDULING ORDER

Plaintiff Gentex Corporation and Defendants Galvion Ltd. and Galvion Inc. (collectively, the “Parties”) respectfully request that the Court amend the Scheduling Order (D.I. 63) in the instant action in the manner set forth below.¹

<u>Scheduling Order Paragraph</u>	<u>Event</u>	<u>Current Deadline</u>	<u>Amended Deadline</u>
¶ 14	Deadline for Supplementation of Identification of Accused Products and Invalidity References	October 9, 2020	December 9, 2020
¶ 8(a)	Close of Fact Discovery	October 9, 2020	December 9, 2020
¶ 7(e)	Final Infringement Contentions	October 16, 2020	December 16, 2020
¶ 7(f)	Final Invalidity Contentions	November 6, 2020	January 6, 2021

¹ The Parties have left blank specific dates for which the Court previously provided dates for the pretrial conference and trial. The Parties respectfully request dates for these dates at the Court’s convenience in June 2021 or as close thereto as possible.

¶ 8(f)	Opening Expert Reports on Issues for which the Party Bears the Burden of Proof	November 13, 2020	January 13, 2021
¶ 8(f)	Rebuttal Expert Reports	December 11, 2020	February 19, 2021
¶ 8(f)	Reply Expert Reports	January 15, 2021	March 12, 2021
¶ 8(f)	Provide dates and times of experts' availability for deposition	January 20, 2021	March 19, 2021
¶ 8(a)	Close of Expert Discovery	February 19, 2021	April 16, 2021
¶ 15	Opening Briefs for Case Dispositive and <i>Daubert</i> Motions	March 19, 2021	May 14, 2021
¶ 15	Responsive Briefs for Case Dispositive and <i>Daubert</i> Motions	April 16, 2021	June 16, 2021
¶ 15	Reply Briefs for Case Dispositive and <i>Daubert</i> Motions	May 14, 2021	July 14, 2021
¶ 18	Plaintiff to Serve Draft Pretrial Order	30 days before pretrial conference	30 days before pretrial conference
¶ 18	Defendants to Serve Response to Draft Pretrial Order	14 days before pretrial conference	14 days before pretrial conference
¶ 18	Submit Joint Proposed Final Pretrial Order, to include any <i>in limine</i> requests and responses	7 days before pretrial conference	7 days before pretrial conference

¶ 19	Jury Instructions, Voir Dire, and Special Verdict Forms	3 days before pretrial conference	3 days before pretrial conference
¶ 18	Pretrial Conference	September __, 2021	November __, 2021
¶ 20	Trial	September __, 2021	November __, 2021
¶ 21	Submission of Order to Enter Judgment on Verdict and Post-Trial Status Report	7 days after a jury returns a verdict	7 days after a jury returns a verdict

The Parties submit that good cause exists for this proposed scheduling amendment. While the parties have made good progress towards completing fact discovery, in light prior case delays, the Parties anticipate that it will be difficult to complete fact and expert discovery on the currently scheduled timetable. Additional time is necessary in order to provide adequate time for the Parties to complete the limited, outstanding discovery and depositions. Accordingly, the Parties respectfully request that the Court extend all remaining case deadlines by approximately two (2) months, as set forth above.

Pursuant to Local Rule 16.4, the undersigned counsel for each Party certifies that it has provided a copy of the instant motion to its respective client(s) and obtained the client(s)' consent to this requested scheduling amendment.

Dated: October 9, 2020

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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SO ORDERED this ____ day of _____, 2020.